

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the remarks herewith, which place the application into condition for allowance. The present remarks are being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-24 are pending. Claims 1-3, 6, 7, 10-15 and 17-20 are independent. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112.

### **II. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1-24 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over WO 99/01984 to Maissel, et al. (hereinafter, merely "Maissel") in view of U.S. Patent No. 5,559,549 to Hendricks, et al. (hereinafter, merely "Hendricks").

Claim 1 recites, *inter alia*:

"A transmitting apparatus for providing digital content, comprising:...

transmitting means for transmitting the meta information, the meta information schema, the inference rule, and the content data through a transmission path when the inference rule and the meta information schema are not stored in a receiving apparatus, and **transmitting only the meta information and the content data when the inference rule and the meta information schema are stored in the receiving apparatus,**" (Emphasis added)

As understood by Applicants, Maissel relates to a subscriber unit for use in a television system including a television network and transmitting apparatus for transmitting

program schedule information, the subscriber unit including a receiving unit for receiving the program schedule information.

As understood by Applicants, Hendricks relates to an expanded television program delivery system which allows viewers to select television and audio program choices from a series of menus. Components of the system include an operations center, a digital cable headend, and at least one set top terminal having a remote control. A combined signal is transmitted over satellite to a cable headend, which may modify the combined signal for changes or additions in programming or menu content. The combined or modified signal is subsequently distributed to individual set top terminals in the cable network. Menus are partially stored in a set top terminal in each subscribers home and may be reprogrammed by signals sent from the operations center or headend. Numerous types of menus may be used, incorporating information included within the video/data signal received by the set top terminal.

Applicants submit that Maissel and Hendricks, taken either alone or in combination, fail to teach or suggest the above-identified features of claim 1. Specifically, there is no teaching or suggestion of a transmitting means for transmitting the meta information, the meta information schema, the inference rule, and the content data through a transmission path when the inference rule and the meta information schema are not stored in a receiving apparatus, and transmitting only the meta information and the content data when the inference rule and the meta information schema are stored in the receiving apparatus, as recited in independent claim 1.

Page four of the Office Action states that Maissel “fails to specifically disclose *only* transmitting the content data and the meta information” and that Hendricks “discloses a television distribution system wherein only program guide text and television programming are

transmitted when program guide data is stored locally". The Office Action further states that the program guide data is template data required to construct the guide.

Hendricks discloses on column 7, line 65-column 8, line 5 that,

"After the CAP packages the programs, it creates a program control information signal to be delivered with the program package to the cable headend 208 and/or set top terminal 220. The program control information signal contains a description of the contents of the program package, commands to be sent to the cable headend 208 and/or set top terminal 220, and other information relevant to the signal transmission."

As understood by Applicants, the program package (content data) is delivered with the program control information signal, which includes a description of the contents of the program package (meta information), commands to be sent to the cable headend and/or set top terminal, and other information relevant to the signal transmission.

Accordingly, Hendricks does not render obvious the claim limitation of transmitting only the meta information and the content data when the inference rule and the meta information schema are stored in the receiving apparatus.

Hendricks further discloses on column 10, lines 52-56 that,

"Before a menu can be constructed, menu templates must be created and sent to the set top terminal 220 for storage. A microprocessor uses the control signals received from the operations center 202 or cable headend 208 to generate the menu templates for storage."

As understood by Applicants, the set top terminal uses the received control signals to generate the menu templates for storage. Accordingly, Hendricks does not teach or suggest transmitting only the meta information and the content data when the inference rule and the meta information schema are stored in the receiving apparatus because in the system of Hendricks, data to create the menu templates is transmitted along with the program package and the program control information signal.

Therefore, Applicants respectfully submit that independent claim 1 is patentable.

Independent claims 2, 3, 6, 7, 10-15 and 17-20 are similar in scope and are patentable for similar reasons.

### **III. DEPENDENT CLAIMS**

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

### **CONCLUSION**

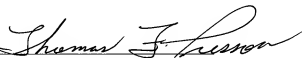
In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference or references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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